

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ANDREW CLINTON CRUSE

PETITIONER

v.

No. 4:19CV163-MPM-JMV

WENDEL BANKS, ET AL.

RESPONDENTS

**ORDER DENYING MOTION TO
EXPAND THE RECORD**

This matter comes before the court on the request by the *pro se* prisoner petitioner to expand the record in this case to include “newly discovered evidence.” In a § 2254 proceeding, a judge has the discretion to require the parties to expand the record as necessary and, if good cause is shown, authorize limited discovery. *Rules Governing Section 2254 Proceedings*, Rules 6–7. In the instant motion, the petitioner makes various arguments based on the testimony and documents found in the record. The “newly discovered” evidence to which the petitioner refers is all found in the record, as, in each instance, the petitioner cites to the record by volume and page number. However, the entire record is already before the court, including the parts the petitioner highlights. As such, the instant motion is **DENIED**. If the court believes expansion of the record becomes necessary, it will issue an order to that effect *sua sponte*.

SO ORDERED, this, the 28th day of July, 2021.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE